

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **PHOTO-DIODE AND METHOD FOR FABRICATING THE SAME**, the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119 or 365(a)-(b) of any foreign application(s) for patent, design or inventor's certificate or any PCT international application(s) listed below and have also identified below any foreign application for patent, design or inventor's certificate or any PCT international application designating at least one country other than the United States of America filed for the same subject matter having a filing date before that of the application of which priority is claimed:

PRIOR FOREIGN APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING	FOREIGN PRIORITY CLAIMED UNDER 37 U.S.C. §§ 119(a)-(d) or 365(a)-(b)
Korea	10-2003-0064115	September 16, 2003	YES

Full name of inventor: PARK, Chan-Yong

Date: Feb. 19, 2004

Inventor's signature CYPARK

Residence: 121-7, Sinseong-dong, Yuseong-gu, Daejeon, 305-804, Korea

Citizenship: Korean

Post Office Address: XL Photonics, Inc. 59-8, Jang-dong, Yuseong-gu, Daejeon 305-343, Korea

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

S:\DOCS\MCK\MCK-8604.DOC

020404

GAIN3.001AUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	PARK, Chan-Yong)
)
App. No.	:	Unknown)
)
Filed	:	Herewith)
)
For	:	PHOTO-DIODE AND METHOD FOR)
		FABRICATING THE SAME)
)
Examiner	:	Unknown)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this

App. No. : Unknown
Filed : Herewith

application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

XL Photonics, Inc

Dated: Feb 19, 2004

Signature: Heung Ro Choo

Name: Heung Ro Choo

Title CEO & Representative

Address: 59-8, Jang-dong, Yuseong-gu
Daejeon, 305-343
Republic of Korea

S:\DOCS\MCK\MCK-8586.DOC
012904

Application No.: Unknown
Filing Date: Herewith

PATENT
Client Code: GAIN3.001AUS
Page 1

ASSIGNMENT

WHEREAS, I, the undersigned, have invented certain new and useful improvements in a **PHOTO-DIODE AND METHOD FOR FABRICATING THE SAME**, the specification of which was executed on even date herewith;

AND WHEREAS, XL Photonics, Inc, (hereinafter "ASSIGNEE"), with its principal place of business at **59-8, Jang-dong, Yuseong-gu, Daejeon, 305-343, Republic of Korea**, desires to acquire the entire right, title, and interest in and to the said improvements with respect to the United States of America, its territories and possessions.

NOW, THEREFORE, in light of good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

Date: Feb. 19, 2004

Signature: CY PARK

Name: PARK, Chan-Yong

Address : 121-7, Sinseong-dong, Yuseong-gu
Daejeon, 305-804
Republic of Korea